

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

WARNER BROS. ENTERTAINMENT  
INC., a Delaware corporation;  
TWENTIETH CENTURY FOX FILM  
CORPORATION, a Delaware corporation;  
COLUMBIA PICTURES INDUSTRIES,  
INC., a Delaware corporation; SONY  
PICTURES HOME ENTERTAINMENT  
INC., a Delaware corporation; LIONS  
GATE FILMS, INC., a Delaware  
corporation; PARAMOUNT PICTURES  
CORPORATION, a Delaware corporation;  
and DISNEY ENTERPRISES, INC., a  
Delaware corporation,

Plaintiffs,

vs.

DOES 1 - 9,

Defendants.

CIVIL ACTION No. \_\_\_\_\_

**DECLARATION OF R. CHRISTOPHER HARSHMAN IN SUPPORT OF PLAINTIFFS'**  
**MOTION FOR LEAVE TO TAKE DISCOVERY PRIOR TO RULE 26(f)**  
**CONFERENCE**

I, R. Christopher Harshman, declare:

1. I am a Litigation Clerk for the Motion Picture Association of America, Inc. ("MPAA"), where I have been employed since February 2002. The MPAA is a trade association whose members include the largest motion picture studios in the United States. Among other things the MPAA does on behalf of its member companies is to investigate the unauthorized reproduction and distribution of copyrighted motion pictures. As a Litigation Clerk, I am responsible for identifying and investigating on-line piracy of motion pictures, including gathering evidence of on-line piracy to support outside counsel's enforcement efforts. I submit

this declaration in support of Plaintiffs' Motion for Leave to Take Discovery Prior to Rule 26(f) Conference.

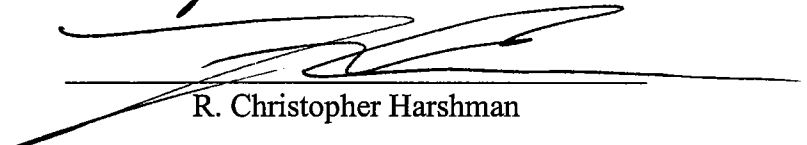
2. This declaration is based on my personal knowledge, and if called upon to do so, I would be prepared to testify as to its truth and accuracy.

3. As part of my responsibilities at the MPAA, I have been designated to confirm that the digital files downloaded by MediaSentry are actual copies of the Plaintiffs' motion pictures. It is possible for digital files to be mislabeled or corrupted; therefore, Plaintiffs do not rely solely on the labels and metadata attached to the files themselves to determine which motion picture is copied in the downloaded file, but also to confirm through a visual comparison between the downloaded file and the motion picture itself.

4. As to each motion picture identified in the Complaint, I have either watched the motion picture in a movie theater during the picture's theatrical release or I have watched a DVD or VHS copy of the motion picture provided by Plaintiffs. After MediaSentry identified the Doe Defendant and downloaded the motion pictures he or she was distributing, I accessed the downloaded files on MediaSentry's software application which stores the files downloaded. I opened the downloaded file, watched it and confirmed that it contains a substantial portion of the motion picture identified in the Complaint.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 31, 2005, at Los Angeles.

  
R. Christopher Harshman